

Amendment No. 1 to HB0355

Coleman
Signature of Sponsor

AMEND Senate Bill No. 534

House Bill No. 355*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-406, is amended by adding the following new subsection:

(f)

(1) If a law enforcement officer has probable cause to believe that the driver of a motor vehicle involved in an accident resulting in the injury or death of another has committed a violation of §§ 55-10-401, 39-13-213(a)(2) or 39-13-218, the officer shall cause the driver to be tested for the purpose of determining the alcohol or drug content of such driver's blood. Such test shall be performed in accordance with the procedure set forth in this section and shall be performed regardless of whether the driver does or does not consent to such test.

(2) The results of a test performed in accordance with this subsection may be offered as evidence by either the state or the driver of the vehicle in any court or administrative hearing relating to such accident or offense subject to the Tennessee rules of evidence.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.